

**Senate File 2015 - Introduced**

SENATE FILE 2015

BY SODDERS and CHAPMAN

**A BILL FOR**

1 An Act relating to privileged communications between certain  
2 peer support group counselors and officers.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. NEW SECTION.   **80.7A Peer support group counselor.**

2     The commissioner may designate a peer support group  
3 counselor as provided in section 622.10, subsection 9.

4     Sec. 2. Section 622.10, Code 2014, is amended by adding the  
5 following new subsection:

6     NEW SUBSECTION.   9.   *a.*   A peer support group counselor  
7 who obtains information from an officer by reason of the  
8 counselor's capacity as a peer support group counselor  
9 shall not be allowed, in giving testimony, to disclose any  
10 confidential communication properly entrusted to the counselor  
11 by the officer while receiving counseling.

12    *b.*   The prohibition in this subsection does not apply where  
13 the officer has consented to the disclosure of the information  
14 specified in paragraph "a".

15    *c.*   For purposes of this subsection:

16    (1) "*Officer*" means a peace officer, certified law  
17 enforcement officer, fire fighter, emergency medical  
18 technician, corrections officer, detention officer, jailer,  
19 probation or parole officer, communications officer, or  
20 any other law enforcement officer certified by the Iowa law  
21 enforcement academy and employed by a municipality, county, or  
22 state agency.

23    (2) "*Peer support group counselor*" means either of the  
24 following:

25    (a) A law enforcement officer, fire fighter, civilian  
26 employee of a law enforcement agency, or civilian employee of a  
27 fire department, who has received training to provide emotional  
28 and moral support and counseling to an officer who needs those  
29 services as a result of an incident in which the officer was  
30 involved while acting in the officer's official capacity.

31    (b) A nonemployee counselor who has been designated by the  
32 commissioner of public safety to provide emotional and moral  
33 support and counseling to an officer who is a peace officer as  
34 defined in section 80.7A who needs those services as a result  
35 of an incident in which the officer was involved while acting

1 in the officer's official capacity.

2 EXPLANATION

3 The inclusion of this explanation does not constitute agreement with  
4 the explanation's substance by the members of the general assembly.

5 This bill relates to certain public safety peer support  
6 group counselors and privileged communications between such  
7 counselors and officers.

8 The bill provides that a peer support group counselor  
9 who obtains information from an officer by reason of the  
10 counselor's capacity as a peer support group counselor  
11 shall not be allowed, in giving testimony, to disclose any  
12 confidential communications properly entrusted to the counselor  
13 by the officer while receiving counseling. The bill creates an  
14 exception in cases where the officer has given the officer's  
15 consent to the disclosure of such information.

16 The bill defines "officer" to mean a peace officer,  
17 certified law enforcement officer, fire fighter, emergency  
18 medical technician, corrections officer, detention officer,  
19 jailer, probation or parole officer, communications officer,  
20 or any other law enforcement officer certified by the Iowa law  
21 enforcement academy and employed by a municipality, county, or  
22 state agency.

23 The bill defines a "peer support group counselor" as a  
24 law enforcement officer, fire fighter, civilian employee of  
25 a law enforcement agency, or civilian employee of a fire  
26 department, who has received training to provide emotional and  
27 moral support and counseling to an officer who needs those  
28 services as a result of an incident in which the officer  
29 was involved while acting in the officer's official capacity  
30 or a nonemployee counselor who has been designated by the  
31 commissioner of public safety to provide such support and  
32 counseling to a peace officer under the same circumstances.  
33 The bill gives the commissioner the authority to designate a  
34 peer support counselor.